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REMARKS

The claims listed beginning on page 2 are 1-19. Claims 12-14 are amended. Claims 17-19 are newly added.

A Preliminary Amendment was mailed by the Applicant on March 17, 2003, with the acknowledgement showing the OIPE stamped in receipt date of March 24, 2003. Copies of the Preliminary Amendment and acknowledgement card are enclosed. This Preliminary Amendment was not referenced in the subject office action and therefore Applicant has assumed that the Examiner did not consider the amendment and has replicated the Preliminary Amendment herein.

The amendments to claims 12-14 and the subject matter of claims 17-19 find support in the specification, for example, at page 7, lines 11-17. There, Applicant clearly disclosed that the combined voice and data signals are filtered to separate the high frequency data signal from the voice signal prior to distribution of the voice signal to various devices within the premises system. In the preferred embodiment, the filtering function is accomplished by means of a modem. However, alternative means of filtering may also be used, as is specifically noted at page 7, lines 16-17.

Claims 12-14 have been amended, and new claims 17-19 have been added, to clearly incorporate these alternate embodiments within their scope.

Although the Examiner has relied upon the Deutch, et al. reference, U.S. Patent No. 5,577,115, it is not listed on the PTO-892 form provided by the Examiner. Applicant respectfully requests that the Examiner make this reference of record.

Claims 1, 2, 4-6, and 10-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Deutch, et al. U.S. Patent No. 5,577,115 (herein after referred to as '115).

Claim 1 requires, a communications module comprising inter alia, a modem output for passing the voice and data services to a modem; and a modem input for receiving only the voice

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service from the modem. The '115 reference teaches an interface adapter which includes an interface adapter switch controlled by a microprocessor 41 that performs two functions. First, the interface adapter switch protects the customer premise equipment (CPE) from damage in those instances where a non-standard network interface is connected to the CPE. Second, it routes the signals from the network interface in response to signals produced by the CPE. Specifically, if power associated with analog services is detected or power associated with the standard ISDN service is detected, the microprocessor 41 recognizes that the network is either the standard ISDN T interface, U interface, or an analog line and controls switches 51 in response to the detected interface/line. The microprocessor 41 detects predetermined signal characteristics that distinguish between the standard T and U interfaces and configures switch matrix 43 based on those characteristics. In the event of a U or T interface, the two B-channels and D-channel from the digital subscriber line 13 are de-multiplexed into separate paths 16, 17, and 18 by a splitter/combiner 19. A codec 20 converts a digitized speech signals on these paths to analog signals for transmission to either a speaker 27 or a handset 22. Data services along the B-channels travel through a station set controller 26 out to a data terminal 28. A modem 34 connects the terminal 28 to an analog circuit which receives service through the interface recognition switch 40.

Applicant respectfully disagrees with the Examiner's reading of claim 1 on the '115 reference. Although the Examiner points to a "modem input for receiving voice services from the modem" claim 1 requires that this modem input is for receiving only the voice service from the modem input. The '115 reference in contradistinction teaches customer premises equipment which passes an analog circuit 29 through a modem 34 to a terminal 28. The modem is essentially connected in parallel with the speaker or handset. It does not teach nor suggest a communications module which passes both voice and data services to a modem and receives only voice services from the modem essentially connected in series with a premise output for receiving only the voice service from the modem. While the '115 reference does show the ability to direct B-channel data services along one path and B-channel voice services along another path, it does not teach nor suggest a module which allows both servers to pass through a modem, be filtered in the modem such that only the voice services exit from the modem to a premise output. For these reasons, Applicant contends that claim 1, is distinguishable from the

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'115 reference and that the '115 reference does not teach nor suggest the combination of elements as recited in claim 1. Reconsideration and withdrawal of the rejection as it relates to claims 1, 2, 4, 5, and 8 is respectfully requested.

Claim 6 requires a communication module comprising inter alia, a modem output for passing selected ones of the communication lines to a modem; a modem input for receiving the selected ones of the communication lines from the modem; and a security interface for passing a selected communication line to a security system... Not only does the '115 reference not teach nor suggest a security system interface, it fails to teach or suggest a single communications module which has a modem output for passing selected ones of the communication lines to a modem and a modem input for receiving the selected ones of the communication lines from the modem. The Examiner's reliance on element 50 in '115 for both the modem output and the modem input is misguided since the element 50 merely represents an output of tip and ring signals from the interface recognition switch and modem is connected in parallel with the analog circuit output to the speaker 27. Having separate modem output and inputs on the communication module as claimed in claim 6 results instead in a series arrangement whereby the selected ones of the communication lines pass first through the modem then to the premise output. Reconsideration and withdrawal of the rejections of claims 6, 10, and 11 is respectfully requested.

With regard to claims 12-16 since claim 12 was amended by the Applicant before the Examiner's rejection, Applicant requests that the Examiner remove the rejection under 35 U.S.C. § 102(b) and consider those claims as amended in view of the references of record.

Claims 7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over '115. The Examiner asserts that although the '115 reference does not specially teach four communications lines to comprise four twisted pair lines bundled in a cable, it would have been obvious to a person of ordinary skill in the art at the time of the invention to use communications lines that would comprise four twisted pair lines bundled in a cable. Claim 7 depends from independent claim 6. For the reasons discussed above, elements of claim 6 are neither taught nor suggested by the '115 reference namely, a modem output for passing selected ones of the

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communication lines to a modem: a modem input for receiving the selected ones of the communication lines from the modem: and a security interface for passing a selected communication line to a security system... Therefore, a *prima facie* case of obviousness has not been presented by the Examiner and reconsideration is respectfully requested.

As to claim 9, the Examiner asserts that although the '115 reference does not specifically teach using an RJ-45 connector for the modem output, since the '115 reference teaches using RJ-45 connectors for releasable interfacing components for other connections, it would have been obvious to person of ordinary skilled in the art at the time of invention to use an RJ-45 connector for the modem output. Claim 9 depends from 8 which depends from independent claim 6.

Elements of claim 6 are neither taught nor suggested in the '115 reference as discussed above, namely, a modem output for passing selected ones of the communication lines to a modem: a modem input for receiving the selected ones of the communication lines from the modem: and a security interface for passing a selected communication line to a security system... Therefore, a *prima facie* case of obviousness has not been presented by the Examiner and reconsideration is respectfully requested.

Claim 3 is rejected under 35 U.S.C. § 103 as being unpatentable over '115 in view of DSL tutorial. Since claim 3 depends from claim 1 and since the '115 reference lacks a teaching or suggestion of a modem output in combination with the modem input for receiving only the voice service from the modem as discussed above, the Examiner has not made a *prima facie* case of obviousness in rejecting claim 3. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Claim 8 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over '115 over in view of Mano U.S. Patent No. 5,187,705 (hereinafter referred to as "705). The Examiner's reliance on the '705 reference is misguided since he asserts that it would have been obvious to a person of ordinary skill of the art at the time of the invention to use a loop-back test upon detecting an error such as a disconnected modem in the invention of '115. The claimed invention as recited in claims 6 and 8 does not rely upon or recite the requirement of a loop-back test to detect an error such as a disconnected modem. No such testing is required by the claims

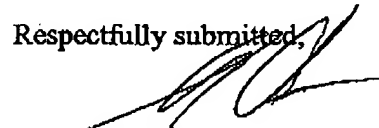
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as they simply require that the modem output is configured to pass selected ones of the communication lines to a connected modem and configured to pass selected ones of the communication lines directly to the modem input when the modem is disconnected. As recited on page 7 of the specification beginning at line 5, this can be accomplished by either utilizing a switching receptacle connector such as RJ-11 which is configured to close a switch between J2 and J3 when the plug connected to the modem 50 is removed from J2 or may alternatively be accomplished utilizing a jumper between J2 and J3 when the modem is removed. Additionally, as discussed above, required elements of claim 6, namely a modem output for passing selected ones of the communication lines to a modem: a modem input for receiving the selected ones of the communication lines from the modem: and a security-interface for passing a selected communication line to a security system... are neither taught nor suggested by the '115 reference. Reconsideration and withdrawal of rejection under 35 U.S.C. § 103(a) of claim 8 is therefore respectfully requested.

Based on the amendment and remarks presented here, Applicant contends that this application is in condition for allowance. Reconsideration and passage to issue therefore requested.

Respectfully submitted,



Salvatore Anastasi
Registration No. 39,090
Attorney for Applicant(s)
Phone: (610) 722-3899
Facsimile: (610) 889-3696